

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

Southern

District of

New York

Olivia Almengor, et al. (see attached rider for full caption)

## SUMMONS IN A CIVIL ACTION

V.

Benno C. Schmidt, et al. (see attached rider for full caption)

CASE NUMBER:

09 CIV 65857

TO: (Name and address of Defendant)

Christoph M. Kimmich, in his official capacity as President of Brooklyn College  
2900 Bedford Avenue  
2129 Boylan Hall  
Bklyn, N.Y. 11210

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

JONES DAY  
Phineas E. Leahey, Esq.  
222 East 41st Street  
New York, N.Y. 10017

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

JUL 24 2008

DATE

(By) Deputy Clerk

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Olivia Almengor, Marissa Schain,  
Daniel Bogatin,

*Plaintiffs,*

- against -

Benno C. Schmidt, *in his capacity as  
Chairman of the Board of Trustees of  
the City University of New York*, Philip  
Alfonso Berry, Valerie Lancaster Beal,  
Rita Dimartino, Freida D. Foster-  
Tolbert, Joseph J. Lhota, Hugi M.  
Morales, Peter S. Pantaleo, Kathleen  
M. Pesile, Carol A. Robles Roman,  
Marc V. Shaw, Charles A. Shorter,  
Sam A. Sutton, Jeffrey S. Wisenfeld,  
Robert Ramos, Manfred Philipp, *in  
their capacities as trustees of the City  
University of New York*, and Christoph  
M. Kimmich, *in his capacity as the  
President of Brooklyn College*,

*Defendants*

Civ. No.

Hon.

**Complaint for Declaratory and  
Injunctive Relief**

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of New York

Index Number: 08 CIV 6585

Date Filed: \_\_\_\_\_

Plaintiff:

**OLIVIA ALMENGOR, et al.**

vs.

Defendant:

**BENNO C. SCHMIDT, et al.**

Received by ASK Litigation Support, Inc. to be served on **CHRISTOPH M. KIMMICH**, in his official capacity as President of Brooklyn College, 2900 Bedford Ave., 2129 Boylan Hall, Brooklyn, NY 11210.

I, Brian Henry, being duly sworn, depose and say that on the **28th day of July, 2008** at **11:30 am**, I:

**PERSONALLY** delivered a true copy of the **Summons & Complaint** to Sally Seigman, Manager, Legal Dep't. accepting on his behalf, who was served in hand at the actual place of business, indicated above.

**Description of Person Served:** Age: 69, Sex: F, Race/Skin Color: Caucasian, Height: 6'0", Weight: 200, Hair: Whitenn, Glasses: N

I am over the age of 18, not a party to this action, and reside in the State of New York.

Sworn to before me on the 29th day of July, 2008 by  
the affiant who is personally known to me.

  
NOTARY PUBLIC

**SIMON H. KAHN**  
Notary Public, State of New York  
No. 01KA5066776  
Qualified in New York County  
Commission Expires March 11, 2010



**Brian Henry**  
1293822

**ASK Litigation Support, Inc.**  
**D/B/A Firm Service**  
**211 East 43rd Street, Suite 1901**  
**New York, NY 10017**  
**(212) 481-9000**  
Our Job Serial Number: 2008000453  
Ref: 200958-600001